



# புதுச்சேரி மாநில அரசிதழ்

## La Gazette de L'État de Poudouchéry The Gazette of Puducherry

### PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற  
வெளியீடு

Publiée par  
Autorité

Published by  
Authority

எண் } No. } No. }	புதுச்சேரி Poudouchéry Puducherry	வெள்ளிக்கிழமை Vendredi Friday	2021 ஆம் 26 26th	மார்ச் மீ Mars March	26 உ 2021 (5 Chaitra 1943) 2021
-------------------------	---	-------------------------------------	------------------------	----------------------------	---------------------------------------

#### IN THE COURT OF SUBDIVISIONAL MAGISTRATE AT KARAIKAL

M.C. No. 130/2021/223, I.R. No. 15/2021 of the  
T.R. Pattinam Police Station, dated 01-03-2021.

Station House Officer,  
T.R.Pattinam Police Station.

. . Petitioner

Thiru Bala @ Balamurugan,  
S/o. Chandirasekar,  
No. 34, Mariamman Koil Street,  
Polagam, T.R.Pattinam.

. . Counter Petitioner

#### Prohibitory Orders under section 144 Cr.PC.

Whereas, one special report was filed by the Station House Officer, T.R.Pattinam Police Station, Karaikal *vide* I.R. No. 15/2021 of the T.R.Pattinam Police Station, Karaikal, dated 01-03-2021 under section 144 of Cr.P.C. in this Court. The report filed by the Station House Officer, T.R.Pattinam Police Station, Karaikal, goes on to describe the criminal activities of the accused namely, Bala @ Balamurugan who has been reportedly indulging in serious offences like, extortion, hurt, criminal intimidation and thereby has become a perennial source of threat to the community and disturbance to the public tranquility.

2. Whereas, I am convinced of the Counter Petitioners involvement in various criminal cases as detailed below:

- (i) Cr.No. 202/2011 under sections 294, 323, 332, 324, 506(ii) r/w 34 IPC and 3(2)(e) of PDPP Act, 1984 of T.R.Pattinam Police Station, Karaikal.
- (ii) Cr.No. 08/2020 under sections 399, 402 IPC and 25 (1) (a) of Arms Act 1959 of T.R.Pattinam Police Station, Karaikal (committing dacoity).

3. Whereas, the petitioner has submitted that the Counter Petitioner is a permanent resident of Polagam, T.R.Pattinam, Karaikal, which comes under the territorial jurisdiction of this authority. The Counter Petitioner is reported to have been a very dangerous criminal, habitually involving in body and property offences punishable under the Chapters of Indian Penal Code as applicable. The Counter Petitioner is reported to have nexus with hooligans of Tamil Nadu areas such as Chennai, Trichy, Thiruvavur, Tanjavur, Kancheepuram, *etc.*, The Counter Petitioner Bala @ Balamurugan, though involved in crimes like dacoity, hurt, *etc.*, most of the victims being scared of him who had not preferred complaint with the Police. However, some of them dared to lodge a few complaints against his notorious activities which were registered and investigated. The Counter Petitioner is also reported to be involved with various criminal elements and is a known close associate of criminals involved in murder cases. Further, he is also involved with an absconding accused, facilitating her avoidance of the long arm of the law. This Counter Petitioner had invariably used deadly weapons in commission of the crimes as listed above in this Order due to which the general public were affected at large.

4. Whereas, the information has been laid by the Station House Officer, T.R.Pattinam Police Station, Karaikal, under section 144 Cr. P.C. who has listed out the record of previous cases registered against the Counter Petitioner as detailed in the special report filed by the Station House Officer, T.R.Pattinam Police Station, Karaikal, *vide* I.R. No. 15/2021 of the T.R.Pattinam Police Station, Karaikal, dated 01-03-2021 under section 144 Cr. P.C. Whereas, the Petitioner further submits that in view of the above reasons, the Counter Petitioner Bala @ Balamurugan has become dangerous element to the society.

5. Whereas, according to the Petitioner, it is necessary to restrain the Counter Petitioner under preventive and prohibitory orders so as to curtail his criminal activities and to ensure safety and security to the community and maintenance of public order. Hence, the Station House Officer, Karaikal, had registered a case in I.R. No. 15/2021 under section 144 of Cr.P.C. on 01-03-2021 at 15.00 hrs. The Petitioner prayed that the Counter Petitioner may be ordered not to enter into the Karaikal District, for a period of six months so as to prevent danger to the human life and properties and disturbance to the public tranquility and good order in the jurisdiction of this Subdivisional Magistrate, Karaikal, by invoking the provisions under section 144 (i), (ii) and (iii) Cr.P.C. except on the days he is summoned by any other Court of Law. Further, the behaviour of the Counter Petitioner is also suspicious and there is every likelihood of him committing a cognizable offence in connivance with other criminal elements from nearby Districts.

6. Whereas based on the information placed before me and other facts which are brought out through the enquiry report placed by the Station House Officer, T.R.Pattinam Police Station, Karaikal, I am satisfied that if, the Counter Petitioner is allowed to move freely within the jurisdiction of Karaikal District, then, his free movement would cause fear and apprehension in the minds of general public which would also severely affect the smooth conduct of free and fair polling in the ensuing General Elections-2021 to the Puducherry Legislative Assembly scheduled on 06-04-2021. It is also clear that the Counter Petitioner has scant regard for the criminal justice system and the Rule of Law.

7. Whereas, based on the report laid before me, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like dacoity, assault, damages to private properties, obstructions, annoyance, extortion and thereby become a perennial source of threat to the community and disturb public peace and order. Hence, I am satisfied that this situation cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. needs to be invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and to uphold public peace and order.

8. Whereas, I am further satisfied that the Counter Petitioner is an habitual offender, wherein, it necessitates to maintain law and order, and given the time constraint, in the context of General Elections to the Puducherry Legislative Assembly, 2021, serving of notice to him as provided under the Code could not be followed and that his activities will endanger human life and properties and the presence of the Counter Petitioner is a threat to public tranquility in my Subdivision. Therefore, immediate action is required for curtailing the illegal activities of the Counter Petitioner in the locality and whereas, in view of urgency of the matter, this is *ex parte*.

9. Hence, I, M. Adharsh, Subdivisional Magistrate, Karaikal, after going through the information laid before me and also after satisfying myself of the need for prohibition of certain activities of the Counter Petitioner, doth hereby pass prohibitory Orders to the Counter Petitioner Bala @ Balamurugan under section 144 (2) Cr.P.C. to restrain him not to enter into the entire region of Karaikal District, which is under the jurisdiction of this Court for a period of two months (or) sixty days from the date of issue of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when he is summoned to attend the cases in any of the Courts in Karaikal.

Dated, this 15th day of March 2021.

**M. ADHARSH,**  
Subdivisional Magistrate, Karaikal.